

OR
G

CAMPAIGN FINANCE DIVISION

☐ WAIVER REQUEST

☒ RECONSIDERATION REQUEST

DATE: 2/8/2021

DOCKET #:

FILER INFORMATION

Name: John "Johnny" Lee, Jr.
Office: Judge, 1st Parish Court, Division B
Parish: JEFFERSON
Election Date: 11/3/2020
Level of Office: Major

REPORT INFORMATION

Name of Report: 30-P
Original Due Date: 10/5/2020
Date Filed: 10/12/2020
Activity Receipts: \$5,750.00
Expenditures: \$130.00
Funds at Close of Reporting Period: \$7,520.00

LATE FEE INFORMATION

Amount of Late Fee: \$700
Days Late: 7
Waiver Result /Late Fee Order Received: 1/15/2021
Payment/Waiver Request Due Date: 2/4/2021
Waiver Request Received: 1/26/2021
Additional Information Requested:
- Medical
- Financial
- Other

COMMENTS: Waiver was submitted by Raymond Landry, Treasurer, for Judge Johnny Lee and states the following: While we complied with Ethics Board's request to file the 30-P on the very day they received the request, such 30-P report was not necessary, because the 90-P was filed after the date that Judge Lee's opponent withdrew on 29th of July.

OTHER LATE FEE INFORMATION

Campaign Finance:

Other Outstanding Reports: No
Other Outstanding Late Fees: No
Prior Late Fees: Yes
Reassessed Late Fees: No

Disclosure Statements:

Other Outstanding Late Fees: No
Prior Late Fees: No

COMMITTEE TO ELECT JOHNNY LEE, JUDGE

c/o Raymond B. Landry, Treasurer

2341 Metairie Road

Metairie, LA 70001

January 26, 2021

Via Federal Express & Facsimile: (225) 381-7271

State of Louisiana

Department of State Civil Service

Louisiana Board of Ethics

Ethics Adjudicatory Board

P.O. Box 4368

Baton Rouge, LA 70821

ATTN: Ethics Adjudicatory Board

Re: Appeal of Board Result:
30-P Campaign Disclosure Report - November 3, 2020 Election
Docket ID 2020-858

Dear Board:

Please consider this letter a formal appeal of the 12 January 2020 decision by the Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, whereby the Board declined to waive a late fee of \$700 for failure to timely file the 30-P Campaign Finance Disclosure Report.

I understand that I am not required to submit the \$700 "late fee" payment, until the appeal process has concluded, if an unfavorable determination is made. If this understanding is incorrect, and I have to send the payment under protest, please advise and I will do so.

I enclose and reiterate the points made by one of my employees, Indira Reyes, in our letter of 9 November 2020, a copy of which I enclose for your easy reference. Indira has served as a preparer of the Candidate's Reports for the past couple of years for Judge Lee. I do want to emphasize that, at all times, complete and appropriate information related to this candidate and the Committee to Elect Johnny Lee, Judge, has been in the appropriate office. The assessed fine, as I understand it, is related to the 30-P report that was filed on 12 October, on the day we received your letter dated 8 October 2020 stating that the 30-P was due. Please note that we simply filed the 30-P at your request, without even considering whether such a report was necessary or timely.

Nevertheless, pursuant to the *Schedule of Reporting And Filing Dates For Candidates & PACs Supporting or Opposing Candidates*, the following reports were due on the following dates:

90-P

5 August 2020

Timely Filed

As Judge Lee's opponent withdrew on 29 July 2020 (see attached as Exh. "A") the 90-P report was "[t]he final report required will be the next Candidate's Report due as of the date the candidate withdraws or learns he is unopposed."

While we complied with your office's request to file the 30-P, on the very day we received the request, such 30-P report was not necessary, because the 90-P was filed after the date that Judge Lee learned he was unopposed.

I therefore respectfully request that your office waive the \$700 late fee being assessed under these circumstances. At the very least, I believe we have shown a good faith attempt to comply with all relevant dates and reporting requirements, and based on the express language in the *Schedule of Reporting And Filing Dates For Candidates & PACs Supporting or Opposing Candidates*, it does appear that we indeed did so comply.

Sincerely


Raymond Landry, Treasurer

rbl/igr



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

October 8, 2020

Raymond B. Landry, Treasurer
Committee to Elect Johnny Lee, Judge, LLC
2341 Metairie Rd.
Metairie, LA 70001

CERTIFIED MAIL

NO. 70200640000105667721

RETURN RECEIPT REQUESTED

NOTICE OF DELINQUENCY

Dear Raymond B. Landry:

The 30-P (30 days prior to primary) campaign finance disclosure report for the November 3, 2020 election, which was due October 5, 2020, has not yet been received. You are subject to automatic late filing fees for every day that report is late.

**A LATE FILING FEE OF \$100 PER DAY IS NOW BEING
ASSESSED FOR EVERY DAY YOUR REPORT IS LATE.**

All candidates for Major or District level offices are required to electronically file their financial disclosure reports. Electronic filing for all other candidates is voluntary.

If the report is not filed by October 22, 2020, additional penalties of up to \$10,000 may be imposed by the Board of Ethics after an administrative hearing is conducted.

Once the report is received, you will be sent a notice for the total late fees assessed.

COMMITTEE TO ELECT JOHNNY LEE, JUDGE

c/o Raymond B. Landry, Treasurer
2341 Metairie Road
Metairie, LA 70001

November 9, 2020

Via U.S. Mail & Facsimile: (225) 381-7271

State of Louisiana
Department of State Civil Service
Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821

ATTN: MELISSA HORN

Re: Late fee assessment for November 3, 2020 Election
30-P Campaign Finance Disclosure Report filed 7 days late

Dear Ms. Horn:

I am in receipt of and thank you for your correspondence dated November 2, 2020. Pursuant to your correspondence, I hereby request a waiver on the above referenced late fee assessment.

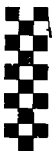
It is my understanding from your correspondence the campaign financial report was received seven (7) days late. It was my responsibility to file the report, which is a responsibility I accept and take very seriously. Each year, I receive an annual notice from your office as to when the various reports are due, but I did not receive a notice as to when the 30-P Campaign Financial Disclosure would be due for 2020. Upon receipt of notice that the report was due, I immediately filed the 30-P Campaign Financial Disclosure. To avoid any possibility of tardiness for the upcoming years, I am now aware of the "Schedule of Reporting and Filing Dates" located online, and I have now taken steps to calendar these dates in various places to ensure that all reports are timely in the future.

This letter is to explain the reason for our tardiness, simply that we had relied in the past on annual notices that we did not receive this year. I nevertheless take full responsibility for submitting the campaign finance report late, but ask that the Campaign for Judge Lee should not be penalized for my error. I respectfully request the \$700 late fee assessed for failure to file timely the financial reports should be waived. Thank you and I look forward to your response.

With kindest regards, I am,

Sincerely,
Indira Reyes
Preparer - Committee to Elect Johnny Lee, Judge
Assistant to Raymond Landry

IR/ie



NOTICE OF WITHDRAWAL

STATE OF LOUISIANA

PARISH OF Jefferson

I, TROY G. BRASSIER
(candidate name printed)

file a Notice of Withdrawal as follows:

- (1.) Title of office: Judge - First Parish Court - Division B
- (2.) Municipality, Parish or District: Jefferson
- (3.) Election Date: November 3, 2020
(month/day/year)

and hereby authorize and request the Secretary of State to omit my name from the official ballot for said election in accordance with La. R.S. 18:502 and 503.

Signed on this 29th day of July, 2020 before
(day) (month) (year)
the undersigned notary public.

[Signature]
(signature of candidate)
[Signature]
(signature of notary public)
Patricia S. Ublane
(printed notary name with notary or bar roll number)
Bar #01798

DEADLINE TO WITHDRAW:

Primary Election Deadline: Any candidates in a primary election may withdraw from the election by filing a notarized notice of withdrawal with the secretary of state before 4:30 p.m. on the seventh day after the close of the qualifying period.

General Election Deadline: Any candidate in a general election may withdraw from the election by filing a notarized notice of withdrawal with the secretary of state before 4:30 p.m. on the ninth day after the date of the primary election.

Notwithstanding the deadlines listed above, if the number of candidates remaining in a primary or general election for a public office is one more than the number of persons to be elected to the office, the secretary of state shall accept a notice of withdrawal if filed prior to 4:30 p.m. on the second day prior to the election.

FILING INSTRUCTIONS:

File the original notarized Notice of Withdrawal by mail, hand delivery or courier to:
Louisiana Secretary of State, Elections Division

8585 Archives Ave.
Baton Rouge, LA 70809
Toll Free: 1-800-883-2805

Note: A Notice of Withdrawal is effective when it is filed timely with the Secretary of State's office. (La. R.S. 18:501)

FAX TRANSMITTAL

MOLLERE, FLANAGAN & LANDRY, L.L.C.
2341 METAIRIE ROAD
METAIRIE, LOUISIANA 70001
TELEPHONE (504) 837-4950
FAX (504) 837-3221

DATE: January 26, 2021

Number of Pages (including this transmission sheet) : 6

TO: **NAME:** Louisiana Board of Ethics
Attn: Ethics Adjudicatory Board

FAX #: (225) 381-7271

FROM: Raymond B. Landry
Treasurer - Committee to Elect Johnny Lee, Judge

RE: Appeal of Board Result:
30-P Campaign Finance Disclosure Report - November 03, 2020 Election
Docket ID 2020-858

Attached please find letter of appeal and attachments.

Thank you for your assistance.

THIS FACSIMILE MESSAGE IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION AND IS TRANSMITTED FOR THE EXCLUSIVE INFORMATION AND USE OF THE ADDRESSEE. PERSONS RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT ARE ADMONISHED THAT THIS COMMUNICATION MAY NOT BE COPIED OR DISSEMINATED EXCEPT AS DIRECTED BY THE ADDRESSEE. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AT 504/837-4950.



Unknown @Port 9100

01/26/2021 2:22 PM

Start Page

Xerox® VersaLink™ B405DN Multifunction Printer